

DECLARATORY

~~Improvement~~ Res. No. 1200-1966

For The Vacation of Bright Street  
from the northwesterly right of way  
line of the Norfolk and Western Railway  
Company to the south property line of  
Ontario Street.

Resolution Adopted: Dec. 6, 1966

Confirmed: Jan. 5, 1967

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

April 20, 1967

B.O. 66-'66

DECLARATORY RESOLUTION NO. 1200-1966

For the Vacation of Bright Street from the northwesterly right of way line of the Norfolk and Western Railway Company to the south property line of Ontario Street.

PLANS ORDERED:

ADOPTED: Dec. 6, 1966

ADVERTISE NOTICE TO PROPERTY OWNERS: Dec. 12 & 19, 1966  
Notices ~~xxx~~ mailed Dec. 15, 1966

HEARING ON CONFIRMATION: Thurs., Jan. 5, 1967, 3:30 p. m.

CONFIRMED: Jan. 5, 1967

ASSESSMENT ROLL ORDERED: Jan. 5, 1967

ASSESSMENT ROLL APPROVED: March 30, 1967

HEARING ON CONFIRMATION  
OF ASSESSMENT ROLL: Thurs., April 20, 1967, 3:30 p. m.

NOTICE SERVED: April 6, 1967

ASSESSMENT ROLL CONFIRMED: April 20, 1967

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes of~~ Bright Street from the northwesterly right of way line of the Norfolk and Western Railway Company to the south property line of Ontario Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Bright Street from the northwesterly right of way line of the Norfolk and Western Railway Company to the south property line of Ontario Street.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes as above described~~, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 3 to 18 inclusive, Creed T. Banks Subdivision and part of Lot No. 5, Creed T. Banks Addition. Both additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described ~~vacation~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other ~~utilities~~ for the ~~construction and maintenance of~~ ~~water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and~~ ~~other~~

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Nine, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 1 Dec 66 DAY OF 1966

Attest:

Secretary Board of Public Works.

Board of Public Works.



STREETS TO BE VACATED

ONTARIO

STREET

25

50

50

68.38

268.5

18

17

16

15

14

SUB.

13

12

BANKS

11

68.38

10

82.22

60 BANKS AVE.

50

VACATED

5

VACATED

5

CATALPA

50

68.38

3

4

5

6

7

8

9

82.22

268.5

T.

68.38

CREED

BRIGHT

50

NORFOLK & WESTERN RAILWAY CO.

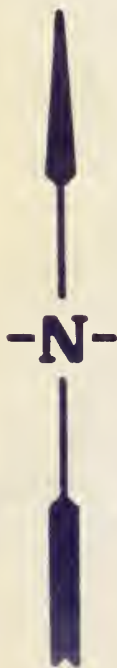
LOT 5

CREED T. BANKS ADD.

CITY ENGINEERS OFFICE  
PORT WARD, INDIANA

Date AUG., 1966

1200





PETITION

BOARD OF PUBLIC WORKS

APR 25 1966

Fort Wayne, Ind.,

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

☒ F.S.E.  
☒ R.W.D.  
☐ G.F.G.

The undersigned, owners of real  
Date \_\_\_\_\_

estate on \_\_\_\_\_, from

\_\_\_\_\_ to \_\_\_\_\_

respectfully petition for the passage of a resolution providing for the the vacation of Bright Street  
from the northwesterly right-of-way line of the Norfolk & Western Railway Co. to  
the south property line of Ontario Street.

NAME

ADDRESS

PETITIONER

x Hannah L. Zucker  
x Bernard J. Frankenstein  
x Sister E. Frankenstein

Notify him of the date  
of hearing.

notified:  
Alvin S. Cell Atty  
814 Anthony Wayne Bldg  
742-2281

STATE OF INDIANA )  
 ) SS  
COUNTY OF ALLEN )

TO THE CITY PLAN COMMISSION OF FORT WAYNE:

# PETITION TO VACATE STREETS OF FORT WAYNE

1. Come now the undersigned petitioners and would show to the Commission that they are the owners of the following real estate in the City of Fort Wayne, to-wit:

Lots 4 through 16 both inclusive in Creed T.Banks subdivision to the City of Fort Wayne and Lot Five Part E of Bright Street Exp. N.136.76' also in Creed T.Banks Subdivision to the City of Fort Wayne

2. That on the plot of said Creed T.Banks Subdivision Bright Street and Banks Avenue are laid out therein.

3. That your petitioners own land adjoining Bright Street and Banks Avenue.

4. That the streets sought to be vacated are legally described as follows, to-wit:

The vacation of Bright Street from the northwesterly right of way line of the Norfolk & Western Railway Co. to the south property line of Ontario Street;

Also, vacation of Banks Avenue from the east property line of Catalpa Street to the west property line of Bright Street, all of the streets sought to be vacated lie entirely within Greed T.Banks Subdivision to the City of Fort Wayne.

5. That the streets sought to be vacated as described herein have never been used, developed, cut through or confirmed as a public right of way.

WHEREFORE, your petitioners who are the owners of adjoining real estate to the streets sought to be vacated, pray and ask that the streets previously described herein be cancelled and vacated.

Lester E. Frankenstein  
Lester E. Frankenstein

Bernard J. Frankenstein

Hannah F. Zacher



OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

49-203-9

B.O. 66-'66

Date April 26, 1966

To City Engineer

Subject Vacation - Bright Street

Received a petition for the vacation of Bright Street from the northwesterly right of way line of the Norfolk & Western Railway Co. to the south property line of Ontario Street.

Prepare an opinion, after conferring with all Governmental Agencies and utilities.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

ic  
attach copy of petition

NOTED  
☒ F.S.E.  
☐ R.W.D.  
☐ G.F.G.  
Date \_\_\_\_\_

Signed \_\_\_\_\_

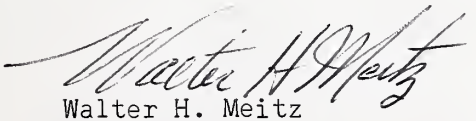
Reply:

1200

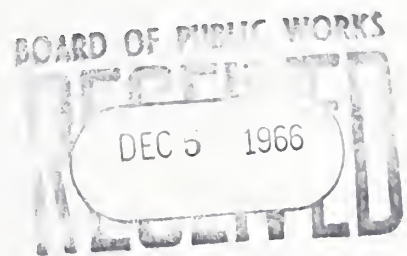
December 2, 1966

Declaratory Resolution, drawing and property ownership list completed and attached.

There is no objection to this vacation from an engineering standpoint.

  
Walter H. Meitz  
City Engineer

DEB:lc  
attachs.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

50-222-2

B.O. 66-166

Date Jan. 5, 1967

To City Engineer

Subject Dec. Reso. No. 1200-1966 Bright Street

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

ic  
attach Reso. & P. O. List

NOTED

☐ F.S.E.  
☒ F.W.D.  
☐ G.F.G.

Signed \_\_\_\_\_ Date \_\_\_\_\_

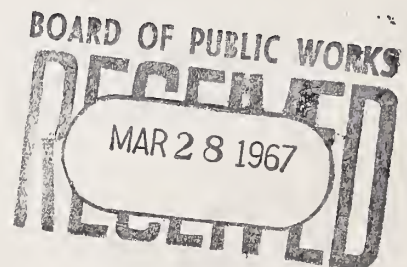
Reply:

March 28, 1967

Assessment roll of benefits and damages completed and attached.

*Walter H. Meitz - D.B.*  
Walter H. Meitz  
City Engineer

DEB:lc  
attach.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY



NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, Dec. 15, 1966

To:

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did  
pass ~~Improvement~~ **Declaratory** Resolution No. 1200-1966  
providing for the **Vacation of Bright Street from the northwesterly right of way line**  
**of the Norfolk & Western Railway Company to the south property line of Ontario Street.**

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed **Thursday, Jan. 5, 1967 at 3:30 p. m.**  
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

# NOTICE OF IMPROVEMENT

## OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, ..... **Dec. 15, 1966** .....

To Dorothy Buckley .....  
    454 Bellefontaine .....  
    Marion, Ohio .....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did  
    ~~Declaratory~~  
pass ~~Improvement~~ Resolution No. .... **1200-1966** .....  
providing for the **Vacation of Bright Street from the northwesterly right of way line**  
**of the Norfolk & Western Railway Company to the south property line of Ontario Street.**

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed **Thursday, Jan. 5, 1967 at 3:30 p. m.** .....  
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

Lot 6

Creed T. Banks Sub.

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

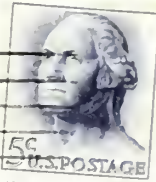
BOARD OF PUBLIC WORKS

CITY HALL  
FORT WAYNE 2, INDIANA  
1200

REASON CHECKED  
Unclaimed .....  
Addressee .....  
Insufficient Address .....  
No such street number .....  
No such office in city .....  
Do not re-mail in this envelope



ALWAYS  
USE ZIP  
CODE



*Moved not forwardable*

*CF 101*

BOARD OF PUBLIC WORKS

RECEIVED  
DEC 19 1966





**Improvement Resolution No. 1200-1966 For** THE VACATION OF BRIGHT STREET FROM THE NORTHWESTERLYRIGHT OF WAY LINE OF THE NORFOLK & WESTERN RAILWAY COMPANY TO THE SOUTH PROPERTY LINE OF ONTARIO STREET.

	OWNER'S NAME	ADDRESS	NUMBER OF		O.L.	DESCRIPTION
			LOT	BLOCK		
* 1	INDIANA & MICH. ELEC. CO.	2101 Spay Run Ave.	5-N-161.76	LYING		CREED T. BANKS ADD.
2				E. OF BRIGHT ST.		
3	FRANKENSTEIN, LESTER E. & BERNARD I.	1/10 S. Bond St. & ZACHER, HANNAH F.	5	E. OF BRIGHT		
4				ST. EXC. N. 161.76		
5						
6						
* 7	ACE AUTO PARTS INC.	96 Dennis Auto Co. 312 E. Main St.	3			CREED T. BANKS SUB.
8			7-5	19.38		
9	FRANKENSTEIN, BERNARD I. & ZACHER, HANNAH F.		4	EXC. S. 19.38		
10			5			
11	BUCKLEY, DOROTHY	716 So. Bond St.	6			
12	FRANKENSTEIN, BERNARD I. & LESTER E. - ZACHER, HANNAH F.	716 So. Bond St.	7			
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17			12			
18			13			
19			14			
20			15			
21	FRANKENSTEIN, BERNARD I. & ZACHER, HANNAH F. (TR.)		16			
* 22	INDIANA & MICH. ELEC. CO.	2101 Spay Run Ave.	17			
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36	NOTICES MAILED OR SERVED					
37	<u>Dec. 15, 1966</u>					
38	<u>By: Irene Cline</u>					
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